

CH

**PLANNING COMMISSION SITE PLAN  
EXTENSION REVIEW SHEET**

**CASE NUMBER:** SP-2008-0291C(XT2) **PC COMMISSION DATE:** July 9, 2013

**PROJECT NAME:** Country Inn

**ADDRESS OF SITE:** 1705 Airport Commerce Drive

**AREA:** 2.25 acres

**WATERSHED:** Carson Creek (Suburban) **JURISDICTION:** Full Purpose

**APPLICANT:** Waterloo Lodging (Amit Patel)  
11601 Shadow Creek Dr.  
Manor, TX 78653  
(512) 771-6763

**AGENT:** Prossner and Associates (Hector Avila)  
13377 Pond Springs Rd.  
Austin, Texas 78729  
(512) 791-0517

**EXISTING ZONING:** ERC (East Riverside Corridor regulating plan)

**PROPOSED DEVELOPMENT:** A four-story hotel is proposed. The applicant requests a three year extension to the site plan in order to complete the building permit application process.

**SUMMARY STAFF RECOMMENDATION:** Recommended by staff. The applicant is requesting a three-year extension to a previously extended site plan (from June 3, 2013 to June 3, 2016).

The applicant has included a letter explaining details of the efforts made toward obtaining a building permit; this is included in this backup.

25-5-63(C) Extension of released site plan by the Land Use Commission: "the Land Use Commission may extend the expiration date of a released site plan beyond the date established by this chapter if the Land Use Commission determines that the request complies with the requirements for extension by the director under 25-5-62 (*Extension of Released Site Plan by Director*)."

25-5-62(C)(1)

(C) The director may extend the expiration date of a released administrative site plan one time for a period of one year if the director determines that there is good cause for the requested extension; and

“ (1) the director determines that:

(a) the site plan substantially complies with the requirements that apply to a new application for site plan approval;

- (b) the applicant filed the original application for site plan approval with the good faith expectation that the site plan would be constructed;
- (c) the applicant constructed at least one structure shown on the original site plan that is suitable for permanent occupancy; **or**
- (d) the applicant has constructed a significant portion of the infrastructure required for development of the original site plan; and"

CH  
2

**PLANNING COMMISSION ACTION:**

**CASE MANAGER:** Donna Galati  
[Donna.Galati@austintexas.gov](mailto:Donna.Galati@austintexas.gov)

Telephone: 974-2733

**PREVIOUS APPROVALS:** A 1-year administrative extension to a previously approved site plan was approved on August 9, 2012 for one year. (From June 3, 2012 to June 3, 2013).

**PROJECT INFORMATION:** 2.26 acres

**EXIST. ZONING:** ERC

**MAX. BLDG. COVERAGE :** 90%

**MAX. IMPERV. CVRG.:** 90%

**ALLOWED F.A.R.:** 2:1

**PROP. BLDG CVRG:** 14,131 sq.ft (14.42%)

**PROP. IMP. CVRG.:** 68,824.8 sq. ft. (70%)

**PROPOSED F.A.R.:** 0.58:1

**A COMPARISON OF THE APPROVED PROJECT WITH CURRENT REGULATIONS:**

**COMPREHENSIVE WATERSHED ORDINANCE:** Complies with current code (the site plan substantially complies with the requirements that apply to a new application for site plan approval.)

**SUMMARY COMMENTS ON SITE PLAN:**

**LAND USE:** Site is currently zoned ERC; new development applications are subject to the East Riverside Corridor regulating plan. The applicant filed the original application for site plan approval with the good faith expectation that the site plan would be constructed. This site is in the Desired Development Zone.

**ENVIRONMENTAL:** There are no Critical Environmental Features on this site. All environmental comments have been cleared.

**TRANSPORTATION:** All transportation comments have been cleared.

**SURROUNDING CONDITIONS:**

**Zoning/ Land Use**

Northeast: ERC (Hotel)

Southwest: ERC (Hotel)

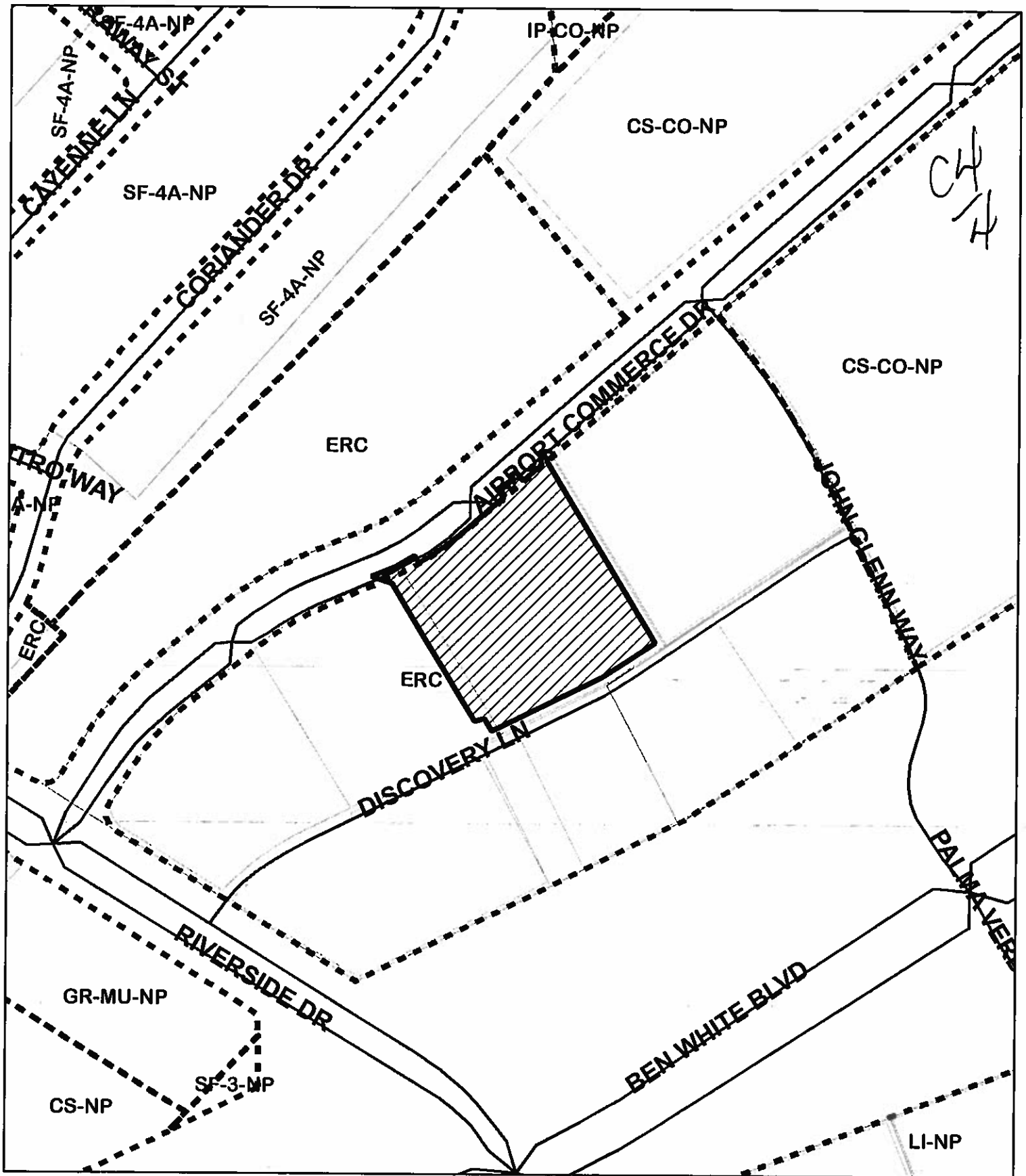
Southeast: Discovery Lane, then ERC (pending site plan for restaurant w/drive thru & retail)

Northwest: Airport Commerce Drive, then ERC (undeveloped)

<u>STREET:</u>	<u>R.O.W.</u>	<u>SURFACING</u>	<u>CLASSIFICATION</u>
Airport Commerce Drive	88'	62'	Collector
Discovery Drive	0'	53'	Private Drive

CH  
3**NEIGHBORHOOD ORGANIZATION:**

Austin Heritage Tree Foundation  
Austin Monorail Project  
Austin Neighborhoods Council  
Bike Austin  
Carson Ridge Neighborhood Association  
Crossing Gardenhome Onwers Assn. (The)  
Del Valle Community Coalition  
Del Valle Independent School District  
El Concilio Coalition of Mexican American Neigh. Assn.  
Go! Austin/Vamos! Austin  
Homeless Neighborhood Assn.  
Montopolis Area Neighborhood Alliance  
Montopolis Community Alliance  
Montopolis Neighborhood Association 2008  
Montopolis Neighborhood Association – El Concilio  
Montopolis Tributary Trail Association  
Pleasant Valley  
PODER  
Riverside Meadows Homeowner's Association  
SELTEXAS  
Sierra Club, Austin Regional Group  
Super Duper Neighborhood Objectors and Appealers Organization  
The Real Estate Council of Austin, Inc.



# SITE PLAN

CASE#: SP-2008-0291C(XT2)

ADDRESS: 1705 Airport Commerce Drive

CASE NAME: Country Inn

MANAGER: Donna Galati



SUBJECT TRACT



ZONING BOUNDARY



0 100 200 400 Feet

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



OPERATOR: Donna Galati



CA/6

June 13, 2013

TO WHOM IT MAY CONCERN,

Waterloo Lodging purchased and began the development of Lots 10 and 11, Block B of the Airport Commerce Park Subdivision in late 2008. Both tracts were designated as a Unified Development for City of Austin review and a joint access drive for both Lots was designated, approved and later constructed.

Waterloo Lodging's plans for the Unified Development involve the construction of two separate franchised hotels, one on each lot, but both sharing a joint driveway and parking facilities.

Waterloo Lodging initially planned to build a Best Western Plus hotel on Lot 11 and a County Inn & Suites hotel on Lot 10. Waterloo Lodging had secured franchise agreements with two different franchisors: Best Western and Carlson, for the construction of a Best Western Plus hotel on Lot 11 and a County Inn & Suites hotel on Lot 10. The franchise fees and costs alone were approximately \$100,000.00.

A site plan for both proposed hotels was approved by the City of Austin in 2009. Initially, Waterloo Lodging intended to design and construct the hotels using a methodology that would have been unique and probably a first for the City of Austin. In essence, the plan was to have Palm Harbor homes build commercial modular hotel room units that would stacked and connected on site in order to assemble a third floor interior corridor hotel building. The common areas and the exterior finishing would then be performed or constructed on site.

To this end, Waterloo Lodging paid Palm Harbor Homes approximately \$85,000.00 in order to design the commercial modules in collaboration with Waterloo Lodging's architects, engineers and other construction personnel. A copy of the receipt from Palm Harbor is attached. Approximately the same amount was also paid by Waterloo Lodging to its architects and other personnel for the "on-site" element of the project. The following companies were retained and/or hired by Waterloo Lodging in order to collaborate in the design process and figure out the logistics of construction, inspection and completion of this hybrid modular concept:

Modular construction .....	Palm Harbor Homes
Architects.....	Danze & Davis
MEP Engineers.....	ATS Engineers
Civil Engineer.....	Prossner & Associates
Modular Commercial Construction Consultants.	Hays Trucking Services
Construction Consultants.....	LML Group
Planning Review Consultant.....	Tim Langam

Regular in person meetings were held at the offices of Palm Harbor with representatives from all or most of the above companies in order to figure out the implementation of the design

CH  
7

and construction of the hotels. City of Austin permitting personnel were also invited to tour the Palm Harbor manufacturing facilities in order to figure out the permitting and inspection process of the modular components.

During this process, Waterloo Lodging's architects and engineers submitted building plans for both hotels for permitting with the City of Austin which showed the modular rooms to be designed and constructed by Palm Harbor. Those submittals went through at least three rounds of review and comments.

Eventually, the planned hybrid modular construction proved not to be feasible. Consequently, all the building plans for both hotels had to be revised to a traditional construction methodology. After the revisions were made, revised plans were then submitted to the City of Austin.

By the time the building plans neared final approval by the City of Austin, two basic issues delayed one of the hotels - the County Inn & Suites: 1) Franchise; and 2) Financing. The franchise was working to change their national prototype for all County Inn & Suites hotels that would require Waterloo Lodging to essentially start the design and architectural process from scratch. Additionally, it was an incredibly tough lending market for hotels at the time and despite engaging multiple loan brokers, Waterloo Lodging was unable to secure financing for the County Inn & Suites hotel. The building permit application number for the Country Inn & Suites hotel was 2009-107540-PR.

Waterloo Lodging was able to complete the plans for and secure financing for the construction of a multimillion dollar Best Western hotel, one of two unified hotel developments. That hotel is open for business. A copy of the certificate of occupancy is attached. Also constructed is the joint use drive for the two hotels as well as access points for the second hotel parking facility in the unified development.

As to the second hotel, after Waterloo Lodging was unable to resolve prototype conflicts with Carlson for a Country Inn & Suites Hotel, Waterloo Lodging terminated that franchise and secured a new franchise agreement with Hilton to construct a Home 2 Suites by Hilton hotel. Again, the franchise fee is paid and franchise agreement is in place.

In May 2012, Waterloo Lodging retained the services of Danze & Davis architects and ATS Engineers in order to design the plans and specifications for the new hotel. Waterloo Lodging was assured that the building plans would be completed and approved by the City of Austin prior to the expiration of the Site Permit. Unfortunately, as Home 2 Suites hotel is a brand new Hilton prototype, the design team has had challenges completing the design on schedule. However, the buildings plans were submitted to the City of Austin on January 09, 2013 (2013-002277-PR) and Waterloo Lodging has just received the second round of comments from the City that it is currently having corrected.

Additionally, the lender that financed the first half of the development, the Best Western hotel, will likely be financing the Home 2 Suites hotel as well. A letter from the lender is attached.

C4/8

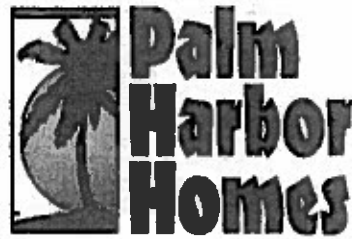
Waterloo Lodging therefore respectfully requests an extension of the site permit in order to accommodate Waterloo Lodging's temporary delay. We believe that Waterloo Lodging has demonstrated a good faith effort to complete the unified development and is near the finish line to commence construction of second hotel.

Thank you for your kind consideration.

Sincerely,

Amit Patel





CA  
✓  
g

6-29-09

### Receipt of Deposit

This document is to serve as an acknowledgement that two payments were received by Palm Harbor/ Discovery Custom Homes from Waterloo Lodging for engineering of two hotel projects as set forth in the engineering agreement dated 8/21/09. The payments received were \$44,978.00 and \$41,730.00.

A handwritten signature in black ink, appearing to read "Charlie Hill", is written over a horizontal line.

Charlie Hill  
VP Sales & Marketing  
Palm Harbor Homes, Inc



City of Austin

**CERTIFICATE OF OCCUPANCY****BUILDING PERMIT NO. 2009-110603 BP****ISSUE DATE: 12/28/2010****BUILDING ADDRESS: 1805 AIRPORT COMMERCE DR****LEGAL DESCRIPTION: Lot: 11 Block: B Subdivision: AIRPORT COMMERCE PARK, SECTION ONE****PROPOSED OCCUPANCY:****C- 213 Hotels, Motels, & Tourist Cabins  
New - New Construction Hotel****BUILDING GROUP / DIVISION: R-1 Hotel/Motel/Boarding Hse (transient)****NEW BUILDING SQUARE FOOTAGE: 48500 SQ. FT.****REMODEL BUILDING SQUARE FOOTAGE: 0****SPRINKLER SYSTEM: 13R****CODE YEAR: 2003****CODE TYPE: ibc****FIXED OCCUPANCY: 0****NON FIXED OCCUPANCY: 0****TYPE OF CONSTRUCTION:****CONTRACTOR: LML Group LLC****\*\*\*\*\* CERTIFICATE OF OCCUPANCY \*\*\*\*\*****THIS IS TO CERTIFY THAT THE BUILDING OR STRUCTURE AT THE ADDRESS LISTED  
BEEN INSPECTED FOR COMPLIANCE WITH THE REQUIREMENTS OF THE AUSTIN  
FOR THE GROUP AND DIVISION OF OCCUPANCY LISTED ABOVE.****NEITHER THE ISSUANCE OF THIS CERTIFICATE NOR THE INSPECTIONS MADE SHALL LESSEN THE RESPONSIBILITY OR LIABILITY OF ANY  
CORPORATION****OWNING, OPERATING, CONTROLLING OR INSTALLING ANY APPLIANCE OR MATERIAL UPON THE PREMISE, OR DOING ANY WORK WHATS  
PREMISE****THE CITY OF AUSTIN DOES NOT ASSUME ANY RESPONSIBILITY OR LIABILITY BY REASON OF THE INSPECTION OR REINSPECTION  
PREMISE, OR THE ISSUANCE OF THIS "CERTIFICATE OF OCCUPANCY"; OR BY ANY REASON OF ANY APPROVAL OR DISAPPROVAL****BUILDING CODE REVIEWER: Doug Votra**